



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

November 26, 2019

BY ECF

The Honorable Victor Marrero
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

The Honorable Sidney H. Stein
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *United States v. Anthony Cheedie, et al., 19 Cr. 833 (VM)*
United States v. Arash Katabchi, et al., 17 Cr. 243 (SHS)

Dear Judge Marrero and Judge Stein:

The Government respectfully submits this letter in accordance with the Court's procedure regarding sentencing involving multiple defendants in factually-related cases pending before different judges.

The procedure provides in pertinent part that, when there is a defendant to be sentenced as a result of a guilty plea and there are active cases pending against other defendants "arising out of essentially the same criminal conduct" which are assigned to other judges, the Government to is provide a "brief statement identifying any such pending cases." Such statement is to be provided to the assigned sentencing judge and the judge(s) before whom the other cases are pending. In light of that procedure, the Government writes to advise Your Honors that, last week, a grand jury sitting in this district returned an indictment in *United States v. Cheedie, et al.*, 19 Cr. 833, which was assigned to Judge Marrero (the "Cheedie Case"). The indictment in the Cheedie Case charges ten individuals with participating in a nationwide telemarketing scheme, the facts and circumstances of which largely involve an extension of the criminal conduct previously charged in *United States v. Katabchi, et al.*, 17 Cr. 243 (the "Katabchi Case"). The criminal conduct that is the subject of the Katabchi Case involves a telemarketing scheme targeting the elderly and has resulted in more than 15 guilty pleas before Judge Stein, as well as a multi-week trial of two defendants before Judge Stein in October 2018. The Government expects that several witnesses who provided information related to the Katabchi Case, including certain cooperating witnesses who testified at the trial over which Judge Stein presided and others who were prepared to testify,

and have not yet been sentenced, will testify in connection with any trial arising in the Cheedie Case.

The Government understands that Judge Marrero has not yet set an initial conference in connection with the Cheedie Case, but that December 6, 2019, at 10:45 a.m., may be a convenient time for the Court. In the event that the Cheedie Case proceeds before Judge Marrero and that this date and time is convenient, the Government respectfully requests that an initial conference be scheduled for that time.

Should the Court desire any further information, we would be pleased to comply.

Respectfully submitted,

GEOFFREY S. BERMAN
United States Attorney for the
Southern District of New York

By: 
Kiersten A. Fletcher
Benet J. Kearney
Robert B. Sobelman
Assistant United States Attorneys
(212) 637-2238 / 2260 / 2616

Cc: All Counsel (by ECF)